

CASE OF LYNCHING, CALLED TOMORROW, STRANGEST KNOWN

Alleged Crime of Lynched Mob in Tennessee.

NEGRO ASSAULTED GIRL

Sheriff, Deputies, and Crowd Charged With Contempt of U. S. Supreme Court.

One of the most remarkable cases ever known in the annals of crime, will be called in the United States Supreme Court tomorrow. It grows out of race troubles in the South and is the first case of lynching yet to reach the court of last resort.

Sheriff J. P. Shipp, nine of his deputies and seventeen alleged members of a mob which lynched Ed Johnson, a negro, on the Tennessee river bridge, at Chattanooga, on the night of March 19, have been ordered to show cause why they should not be held in contempt of the Supreme Court, because it is held that Johnson was a United States prisoner at the time he was lynched.

The answer to the bill of Attorney General Moody, charging contempt, will be filed by the Hon. Judson Harmon, of Cincinnati, chief counsel for Sheriff Shipp and his deputies and the answer of the alleged members of the mob also will be answered by the various attorneys representing these men. A motion will be made to hear the cases on the answers and, if this is overruled, a motion will then be made to hear the cases on depositions to be taken by a United States commissioner. If this motion is overruled, it will be necessary for all of the defendants to appear in person before the court of last resort.

Mob Would Prove Alibi.

The attorneys for Sheriff Shipp are: Judge Harmon, of Cincinnati; Robert Pritchard, Martin Fleming, William Daniels, Spears & Lynch, and Williams & Lancaster, of Chattanooga. Members of the mob, as charged, have employed the following: John W. Maddox, former Congressman from Georgia, T. W. Stanfield, Henry P. Fry, who has written a book on the race question, and Oscar Yarnell. The alleged members of the mob will seek to prove an alibi and some have made affidavits that they had nothing whatever to do with the lynching of Ed Johnson.

This remarkable case has its beginning on the evening of January 23, Miss Nevada Taylor, a most highly respectable white girl, the daughter of an old Federal soldier and the keeper of Forest Hills Cemetery, who was returning from her work in a grocery store in Chattanooga, alighted from a trolley car, and was nearing the gate, which opened into the cemetery, where the family lived. As she walked by the side of a fence, she was attacked by a negro, who approached her from behind, and threw a leather thong about her neck.

No clue was afforded the officers, until Charley Hixson, a young man stated that he had seen a negro at that spot, not ten minutes before, and that he was carrying a leather thong, which he twisted about his fingers. He believed that he could identify the negro, if he could see him again. An all-day search was made the next day. On the evening of January 23, the young man pointed out Ed Johnson, who was on an ice wagon. He was arrested at once and lodged in jail.

Prisoner Spirited Away.

Fearing mob violence, Sheriff Shipp hurried the prisoner away in a closed carriage to a station on the Nashville road, where they took the train for Nashville. Johnson was kept in the jail at the Tennessee capital, where he was partially identified by Miss Taylor as the negro who had committed the crime. On that very evening, a mob of several hundred men gathered at the jail and demanded Ed Johnson, Floyd Westfield, the negro who murdered a constable, and Ed Smith, who attempted assault on an inmate of the Vine Street "orphans' home." The mob met with such powerful resistance on the part of the sheriff's deputies that no damage was done, save the battering of the jail doors.

The public demanded a speedy hearing of the case and no information was given out to the public of the date of the hearing. Johnson was brought from the Nashville jail on the morning of February 8. The trial was begun in the county court house that morning, the public not being admitted to the criminal court room. The campus of the court house was heavily guarded by the police and the county officers.

Dramatic Scene in Court.

During the progress of the trial, Miss Taylor narrated the details of the crime, but never positively identified the prisoner. With the prisoner standing by her side, she said:

"I would not be the cause of taking an innocent man's life, God knows, but I believe he is the man."

These words caused a sensation upon the jury and one juror almost collapsed. At the end of three days, on the morning of February 8, the jury brought in a verdict of guilty. The prisoner's attorneys announced that they would make a motion for a new trial, and on that same evening the case was called for that purpose, but the attorneys stated that they had seriously considered the case and that they had concluded to let the law take its course, sentence of death on the prisoner. He had nothing to say, except that he was innocent. He was sentenced to hang March 3.

N. W. Parden and S. L. Hutchins, two

(Continued on Fourth Page.)

"FRAUD, COERCION," LAID TO LAWYER IN COLTON SUIT

Child's Attorneys Declare Aged Woman's Will Was Forced.

BARNETT AND BONDS

Petition to Have Case Transferred From California to District Sensational.

Charging that the instrument purporting to be the last will and testament of the late Ellen M. Colton was produced through "fraud, coercion, and undue influence on the part of Mrs. Caroline Martin-Dahlgren, John B. Dahlgren, and Attorney Walter J. Barnett," the attorneys for the contestant, Helen Beatrice Sacher, the six-year-old great-grandchild, who is seeking a division of the Colton estate, yesterday afternoon filed a formal petition with the District Supreme Court to have the coming contest removed from the jurisdiction of the California courts to those of the District of Columbia.

Thus the contest over the estate of the widow of the late Gen. D. D. Colton, former partner of Col. P. Huntington and George Crocker, testimony concerning which is being taken before Justice Charles S. Bundy, has assumed an unexpected turn, and now gives promise of being more stubbornly and bitterly fought than ever.

Barnett's Alleged Act.

Beginning with references to the great affection Mrs. Colton bore her grandchild, Mrs. Helen Thornton Sacher, and for the little great-grandchild, Helen, the petition declares that the will, which practically cuts off the child, was drawn according to a concerted plan between Attorney Barnett, John B. Dahlgren, and Mrs. Caroline Dahlgren, in order that they might benefit to the exclusion of the other legal relatives.

According to the document, Attorney Barnett prepared the supposed Colton will at a time when he realized that the aged woman was totally incompetent to realize its import. The contestants assert that this was done with the apparent understanding that Barnett was to name himself as executor in the will and that Mr. Dahlgren and Mrs. Martin acquired in the arrangement. The claim upon which the contestants base their plea for a change of jurisdiction, as stated in the petition, is that Mrs. Colton was a legal resident of the District, and that in attempting to have the will probated at Santa Cruz, Cal., where Mrs. Colton was buried, Attorney Barnett did so without legal grounds.

Resided in Washington.

The contestants point out that Mrs. Colton came to Washington ten years ago, built the beautiful family residence at 1877 Connecticut avenue, declaring at the time her intention of never returning to the Pacific coast to live permanently.

It is further asserted by the contestants that Mrs. Colton had previously disposed of her property holdings both in Santa Cruz and San Francisco, except for a small dwelling at the former place, where Mrs. Lohgren, then Mrs. Martin, lived with her daughters during the summer.

Another sensational claim cited in the petition is that Attorney Barnett, either before or since the death of Mrs. Colton, has spirited away from this city certain stocks and bonds belonging to the estate, the value of which is placed at \$300,000. These bonds, it is shown, were in the keeping of the American Security and Trust Company, of Washington, but when an attempt was made to have them accounted for by the collector appointed by a District court, they were not to be found. The petitioner asks that Attorney Barnett be compelled to appear in this city to testify as to their present whereabouts.

Loved Grandchild.

One of the important claims to be advanced at the coming trial, however the Supreme Court may decide as to the proper jurisdiction in which to try the case, is that Mrs. Colton held her little half-American, half-French grandchild, Helen, in the most affectionate regard, going each year to visit her in Paris, both during the life of the child's mother and following her death.

In this connection, a photograph showing little Helen and Mrs. Colton at a French watering place, the great-grandparent holding the baby in affectionate embrace, will be exhibited. The picture, a reproduction of which appears in this article, is cherished by the parties as one of her dearest memories of child as god-mother, who acted as the child's god-mother, and is said to have expressed her wish to bring her to this country as her heir, immediately following the death of Mrs. Sacher.

All these claims will be brought out in the coming litigation over the division of the will, in addition to testimony which has been taken in this city before Justice Burdy, relative to Mrs. Colton's alleged unsound mental condition during the months preceding her death on February 10, 1905.

Dr. Z. T. Sowers declared at yesterday's hearing that in his opinion Mrs. Colton's mind was unsound when she signed the document alleged to be her will.

Free Oyster Roast Today at Chesapeake Beach. See excursion col. Page 3, third section.—Adv.

SOX TAKE FIFTH GAME OF SERIES BY MANY HITS

Reulbach and Pfeister Driven From Box in Early Stages.

ISBELL'S FOUR DOUBLES

They Net Six Runs and Save the Day—Enormous Crowd Present.

CHICAGO, Oct. 13.—Three games for the Sox! Once more Comiskey's champions turned the trick on the West Side headliners when they whipped them soundly today by a score of 8 to 6. The Sox batted like fiends, but fielded badly. Had they been free from errors the Cubs' count would have been small. On the other hand, the Cubs fielded through the terrible nine innings without a mistake, but their hits were too scarce.

Big Ed Walsh was in grand form for six innings, and with better support could have sent the Cubs' batters out in a hurry. However, in the seventh inning, it looked as though he had blown up and Doc White was rushed to the rescue in a hurry.

Used Up Three Pitchers.

The Sox handled the Cubs' pitchers disgracefully. Ed Reulbach was driven from the pitching hill in the third inning, being swatted terribly. Pfeister relieved him, and the next inning he was also driven to the timber. Big Overall then came in from behind the clubhouse and finished the game with much credit.

It was one of the slowest games of the series. Two hours and forty minutes were consumed in playing the nine innings. Much of this time was taken up by Walsh spitting juice on the ball.

Enormous Crowd.

The crowd was enormous. The national commission gave out the actual paid admissions as 23,775, and no one doubted it. They were piled everywhere. All the stands and bleachers were packed. Thousands clung on the edges and the surrounding buildings were overhanging with humans.

Big Isbell was a tower of strength with the stick. Four crashing doubles the lanky Swede tore off and besides scoring three runs himself he drove in three more. Rohe and Davis were also there strong with the stick, Rohe getting two singles and a double and Davis nipping off two doubles.

The Sox scored one run in the first inning on Hahn's sacrifice. In the second Isbell's double and Davis' two-bagger. The Cubs came right back and two singles, a sacrifice, a batter hit and two errors by Isbell, chased three tallies across the plate.

Isbell Gets Busy.

The score stood this way until the third, when the Sox evened up the count. Isbell started it off with his second double and scored on Davis' two-bagger into the crowd. Pfeister then went in to pitch, and started by hitting Donohue. Tinker's error gave Dougherty a life, and Dougherty and Davis worked a double steal, Davis scoring.

The Cubs went out in order, and then the Sox clinched the game in their half of the fourth by tallying four runs. Walsh walked as a starter, and was forced by Hahn. Jones singled and Isbell tore off his third two-bagger, scoring Hahn and sending Jones to third. Davis duplicated this hit, scoring Jones and Isbell. Overall replaced Pfeister, and he immediately walked Rohe. Donohue's double scored Davis, but Schott turned Dougherty's fly into a double play and ended the inning.

White Saves Game.

The Cubs were still going, however, and made one in their half of the fourth. Walsh grew wild, and when the men were out, passed both Overall and Hoffman. A failure to force Hoffman and double filled the bags, and then Schulte doubled, scoring Overall and Hoffman. Chance went out on an infield grounder and ended the round.

After Steinfeldt had doubled in the seventh, White replaced Walsh in the box, and the Doctor allowed only one scratch hit, and the Cubs were not able to score thereafter.

(For further details of game see first page of sporting section.)

MILLIONS FOR POOR; LEWIS WIDOW DEAD

LONDON, Oct. 13.—By the death today of Mrs. Lewis Hill, widow of the well-known money lender, Samuel Lewis, \$5,000,000, in which she was given a life interest by Lewis, is released for bequests to charity.

The Lewis will provided for over fifty bequests to be made after his wife's death.

These donations vary from one of £200,000 to be used in the erection of model dwellings for the poor, to gifts of \$100,000 to be placed in each police court poor box in London.

WASHINGTON PASTOR ACCUSED IN BASSETT'S DIVORCE SUIT

LAWRENCE BASSETT.

CHARLES C. BASSETT.

FRANCES BASSETT.

The Father.



RICE BASSETT,
The Couple's Second Child.

CHARLES BASSETT.
The Oldest Child.

E. LAWRENCE HUNT INVOLVED BY STAY IN ATLANTIC CITY

Servant Deposes She Saw Presbyterian Minister Kiss Friend's Wife.

OMAHA, Neb., Oct. 13.—Official and social Washington plays a part of no small dimension in the Bassett divorce suit which has already been fought through several preliminary skirmishes here, and is scheduled for a hearing on the main issues of the case at the present term of court. The suit in Omaha is brought by Mrs. Frances Rice Bassett, daughter of former Senator Bassett of Arkansas, now dead, for divorce from Charles C. Bassett, topographer in the United States Geological survey, at Washington.

Beside these two chief actors are two others whose parts in the suit are scarcely less prominent. On the one hand is the Rev. E. Lawrence Hunt, pastor of the Noble Street Presbyterian Church, Brooklyn, and formerly pastor of the Washington Heights Presbyterian Church, Washington.

He is boldly accused by Mr. Bassett, in his answer to her petition, with being too intimate with Mrs. Bassett. On the other hand is Congressman Benjamin L. Fairchild of New York, reputed to be wealthy, who is accused by Mrs. Bassett with having undertaken the burden of her husband's fight, and offered his entire fortune to the latter to carry it through.

Ordinary personal friendship is asserted by each to be his only reason for having exhibited an especial interest in this domestic turmoil.

The preliminary bouts, which include an attempt to have the case here dismissed, the application for an injunction to prevent Bassett from kidnapping any of the children, and a request for temporary alimony, have all been won by Mrs. Bassett.

The case will be submitted largely on depositions. Most of these have been taken in Washington, New York, and Atlantic City, and have been received and opened. Family skeletons are dragged from their closets for public inspection, a scandal of the Nation's Capital is elaborated in minute detail, and a glimpse given of a section of social Washington behind the scenes.

Wife's Counsel.

Mrs. Bassett came to Omaha shortly after the scene between herself and her husband, when the latter found her in Atlantic City in July, 1905. She took a little cottage on the outskirts of the city, and, after acquiring the necessary six months residence, filed her suit for divorce last February 13, preceding that filed by her husband in Washington but a few days.

Former United States District Attorney Baxter, is handling her suit from this end, and Hilary A. Herbert, former Secretary of the Navy, represents her in Washington.

She accuses her husband of infidelity and lays particular stress on cruelty, which she avers he practiced from 1893, two years after they were married. She says that he was given to profane and blasphemous language, and interfered with her management of the children.

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THREE MEN KILLED; BOILER EXPLODES IN A PUMP BOAT

Two Missing, Six Badly Injured Near Pittsburgh.

PITTSBURGH, Oct. 13.—Three men are dead, two are missing, and six are badly injured as a result of a terrific explosion of a boiler in the Government pump boat Blackwater, which was lying at Lock No. 4, at Legionville dam, in the Ohio river.

The accident occurred at 2:30 o'clock this afternoon, causing intense excitement, shaking the ground in the vicinity, and for some miles about. The Blackwater literally was blown to pieces, sending a mass of debris to the bottom of the river. A floating derrick near it was broken up. The construction work on the new dam was considerably damaged and will require much work to repair it.

The dead are: JOHN BRADY, laborer, Pittsburgh. STEVE SUTEL, thirty years old, an Austrian.

A. L. BISHOP, superintendent of the Government work at the dam.

Missing: Two unknown colored men, employed about the boat, who are thought to be dead in the Ohio river.

The injured: Clayton Morris, of Elizabeth, Pa., engineer; severely scalded and bruised; probably will die.

Charles Campbell, Economy, Pa.; head crushed, arm broken, and severely scalded.

John Weatherland, Economy, Pa.; scalded and bruised.

Joseph Cooper, engineer, of Elizabeth, Pa.; bruised severely, cut, and scalded.

John Rogers, Pittsburgh; severely scalded.

Unknown man from Sewickley, who was slightly scalded and bruised, but who was able to go home.

The cause of the explosion is not known, and the blame will not be fixed until after the coroner's inquest. One workman on the boat, who escaped the explosion, said the cause was thought to have been the letting of cold water into the hot boiler.

The Blackwater was working at the Legionville dam until a half hour before the explosion. Besides the Blackwater a derrick boat's crew also was killed, and other men were busy about one lock.

The men on the Slackwater at work, and the majority were lounging about the boat.

At almost exactly 2:30 o'clock, one of the boilers of the boat let go.

The report was deafening, and the ground in the vicinity of the lock was shaken by the force of the explosion. The Blackwater was torn to pieces. Great fragments of timbers, boiler iron, and debris were hurled through the air, and bodies of the dead and injured were blown into the river.

Rescuers hurriedly put out from the shore and brought the dead and injured to the Government buildings at the lock. Prompt attention was rendered by physicians.

Wide Boards, \$2 Per 100 Feet.

Lumber Trust Broken. Libbey & Co., 6th St. & N. Y. Ave.—Adv.

GOLD MINE KING TO BUILD PALACE IN CAPITAL CITY

John Hays Hammond, Friend of Late Cecil Rhodes, Newcomer.

John Hays Hammond, multi-millionaire, mining engineer, developer of California and pioneer of African gold fields, is to become a resident of Washington.

This city, as has been heretofore pointed out by The Times, appears to exert a special attraction for the men of millions who have made their fortunes in California and Africa. Mr. Hammond is the fourth of this class who have recently adopted this Capital as the world's most desirable place of residence.

Henry Cleveland Perkins, pioneer of both California and the Rand, one of the wealthiest men in the country, and perhaps in the world; associate of the Rothschilds, and owner of gold properties in half the great gold regions of the world, is probably entitled to head this list.

Gardner Williams.

Only second to him comes Gardner Williams, who, likewise, as a young engineer and expert, laid in California the foundation of a fortune which he built to great proportions in the South African fields. Mr. Williams was a diamond rather than a gold expert, and his fortune was chiefly drawn from this side of the African development.

Hennan Jennings, still another Californian of the period of the argonauts, who to his Golden Coast experience, and a small fortune to Africa, and there expanded both to notable proportions, is a third Washingtonian of recent acquisition.

Now comes Mr. Hammond, the most widely known man, perhaps, in the group. He has just bought an entire square of land bounded by Twenty-fourth and U streets and Kalorama road northwest, and has commissioned Wyeth & Cresson, architects, to prepare plans for a splendid house to be erected upon it.

Mr. Hammond will expend about \$200,000, it is stated, on the palatial four-story house for which he has placed his commission. The site is high and commanding, comparing favorably with any in the city, and in a section that is fast attracting the ultra-fashionable and wealthy portion of the city's population.

Romance of Gold.

The stories of the lives of these four men would be the romance of gold in the modern world. It would be the story of California and the Pacific empire of America; of the new Australia, which drew so many of the early Californians, as well as being a part of all over the world, to found a new nation of the Southern seas; of South Africa, "the map that is half unrolled," the empires of Rhodes and Chamberlain and Kitchener; of the new Asia and the new Alaska, with their mines now pouring ceaselessly into the stream that is augmenting the prosperity of all nations.

Mr. Hammond was preceded to Washington by Messrs. Perkins, Williams, and Jennings, who for some time have been residents of this city. Cosmopolitans.

(Continued on Second Page.)

NEW GOVERNOR CALMS CUBA AT THE START

Peacefulness Reported From All Sections of the Island Republic.

NATIVES DETERMINED TO HELP AUTHORITIES

No New Cases of Yellow Fever—Precautions Taken Against Disease.

HAVANA, Cuba, Oct. 13.—With the departure for the United States of Secretary of War Taft and the assumption of the reins of government by provisional Governor Magoon, the new administration in the island republic can be said to be well started.

The proclamation by the new governor, which was contained in all of the evening newspapers here, was well received generally by the residents of Havana, and it now seems certain that there will be no further disturbances.

Cubans of all classes, regardless of their political beliefs, are working together to get the internal affairs once more in such a state that outside confidence will be regained. Governor Magoon struck a popular chord when, in his proclamation, he declared that he would do all in his power to "preserve Cuban independence, protect life and property, and bring about the restoration of the ordinary methods of government under the provisions of the Cuban constitution."

The people seem to realize that this promise comes from the Roosevelt Administration and will be carried out.

Quiet So Far.

Up to a late hour tonight no reports of disturbances had been received here and the new administration is pleased with the present state of affairs. Advice from Santiago and the other cities of the island republic state that the proclamation of the new governor has been posted in all of the public buildings.

There is an utter absence of criticism of its provisions.

Marines to Return.

Several detachments of marines, whose places have been taken by regular troops, reached Havana during the late afternoon and will return to the United States at once.

There were no new cases of yellow fever reported on the island today and all of the existing cases are doing well. On the steamer that arrived here today were several barrels of oil of citronella, which is to be distributed to the several camps of soldiers for the use of officers and men alike to keep away mosquitoes, the medical officials declaring that if the men will anoint themselves with the oil, there will be no danger of mosquito infection.

REVOLUTION AGAIN IN SANTO DOMINGO

The insurrection in Santo Domingo, which was believed to have ended, has broken out afresh.

The Navy Department this afternoon received the following cablegram from Southernland, the senior American naval officer at Monte Christi:

"I regret to inform you that the revolutionary leaders at the last moment refused to stand by articles of agreement for the surrender."

"Revolutionary leaders have massed forces of about 500 men at a distance of fifteen miles, and demand the most impossible terms. The President of Santo Domingo has directed the renewal of hostilities."

Until the receipt of these advices, the officials of this Government and the State and Navy Departments believed that peace had been arranged at Monte Christi on Thursday. In accordance with the program laid down by the government and insurgent leaders, the insurgent army would lay down arms in the presence of President Caracaras, and return to their homes as good citizens.

Secretary Root has gone to New York to register so he can vote. He expects to get back Monday. Assistant Secretary Adair is in charge of the affairs of state during his absence.

ROOT GOES TO REGISTER; ADEE ACTING PREMIER

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